

ROUTING AND RECORD SHEET**SUBJECT:** (Optional)Response to Request for Information
from the Information Security Oversight Office**FROM:**Director of Security
4E60, Headquarters**EXTENSION****NO.****DATE****TO:** (Officer designation, room number, and building)**DATE****RECEIVED****FORWARDED****OFFICER'S
INITIALS****COMMENTS** (Number each comment to show from whom to whom. Draw a line across column after each comment.)1. D/OIS
1206 Ames Bldg.

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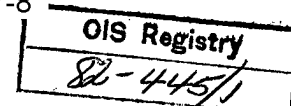
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28 MAY 1982

MEMORANDUM FOR: Deputy Director for Administration

FROM:



Director of Security

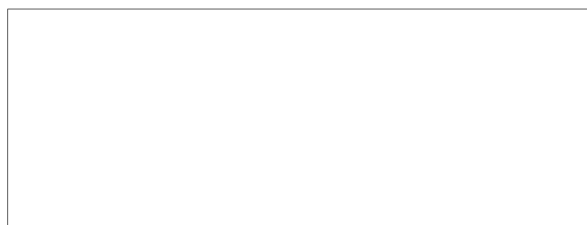
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SUBJECT: Response to Request for Information
from the Information Security Oversight OfficeREFERENCE: Letter to DDA from DD/ISOO, dated 24 May 1982
(DD/A 82-1306)

1. Action Requested: This memorandum forwards a letter for your signature.

2. Background: The Deputy Director, Information Security Oversight Office (ISOO) has requested your assistance in providing responses to Congressman Glenn English, Chairman, Government Information and Individual Rights Subcommittee concerning the capability to destroy sensitive material in overseas emergency situations. The pertinent information is attached to your reply.

3. Recommendation: It is recommended that you sign the attached letter.



STAT

Attachment

Distribution:

Orig. - DDA

1 - D/OIS

OS 2 1365-A

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Mr. Robert W. Wells
Deputy Director
Information Security Oversight Office
General Services Administration
Washington, D. C. 20405

Dear Mr. Wells:

Pursuant to your request of 24 May 1982, I have enclosed responses to Question 24 and Question 25 submitted by Congressman Glenn English, Chairman, Government Information and Individual Rights Subcommittee.

Sincerely,

Harry E. Fitzwater
Deputy Director
for
Administration

Enclosures

SUBJECT: Response to Request for Information From
the Information Security Oversight Office

Distribution:

Orig - Adse

② - DDA

1 - D/Security

① - D/OIS

Page Denied

Next 5 Page(s) In Document Denied

ROUTING AND TRANSMITTAL SLIP

Date
28 MAY 1982TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. EXO/OIS

2. DD/OIS

3. D/OIS

4. C/RND

5.

| Action | File | Note and Return |
|--------------|----------------------|------------------|
| Approval | For Clearance | Per Conversation |
| As Requested | For Correction | Prepare Reply |
| Circulate | For Your Information | See Me |
| Comment | Investigate | Signature |
| Coordination | Justify | |

REMARKS

DO NOT use this form as a RECORD of approvals, concurrences, disposals,
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

☆ GPO : 1981 O - 341-529 (120)

STAT

| ROUTING AND TRANSMITTAL SLIP | | Date |
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| | | 3 JUN 1982 |
| TO: (Name, office symbol, room number, building, Agency/Post) | Initials | Date |
| 1. EXO/OIS | A | 6/4 |
| 2. DD/OIS | Bj | 6/4 |
| 3. D/OIS | W | 6/4 |
| 4. RMD | E | 6/4 |
| 5. [Redacted] | | |
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| Approval | For Clearance | Per Conversation |
| As Requested | For Correction | Prepare Reply |
| Circulate | For Your Information | See Me |
| Comment | Investigate | Signature |
| Coordination | Justify | |

REMARKS

Should we not be careful in making reference to a particular station in an unclassified document? The answer to question 24 did not have to specifically mention "Kleen Station"

Agree that this seems to require classification

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

STAT

STAT

| ROUTING AND TRANSMITTAL SLIP | | Date |
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| Comment | Investigate | Signature |
| Coordination | Justify | |

REMARKS

1 - FYI

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FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

EO/DDA

Phone No.

ROUTING AND TRANSMITTAL SLIP

Date
26 May 82

SDR A S VAN

| TO: (Name, office symbol, room number, building, Agency/Post) | Initials | Date |
|--|----------|------|
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| Action | File | Note and Return |
| Approval | For Clearance | Per Conversation |
| As Requested | For Correction | Prepare Reply |
| Circulate | For Your Information | See Me |
| Comment | Investigate | Signature |
| Coordination | Justify | |

REMARKS

DDA 82-T306

- 1 - The attached letter arrived in our office this afternoon, and we are aware of the very short time-frame but must ask for your response by noon on Friday, 23 May. Would you please have prepared for the DDA's signature an appropriate response to questions 24 and 25 listed on the attachment to the letter from the Deputy Director, IS00. Also, please provide a drop copy of your response to D/OIS.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

| | |
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| FROM: (Name, org. symbol, Agency/Post) | Room No.—Bldg. |
| EO/DDA | Phone No. |

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

* GPO : 1981 O - 341-529 (125)

General Services Administration
Information Security Oversight Office

Washington, DC 20405

OIS Registry

82-445

MAY 24 1982

DD/A Registry

82-1306

Mr. Harry E. Fitzwater
Deputy Director for Administration
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Fitzwater:

Enclosed is a list of questions submitted to the Director, Information Security Oversight Office (ISOO), by Congressman Glenn English, Chairman, Government Information and Individual Rights Subcommittee. These questions are a follow-up to the hearings conducted on May 5, 1982.

The Director, ISOO has informed Congressman English that he will respond to the questions as close to June 7, 1982 as possible. To meet this deadline, we request your assistance in providing this office information upon which to base a reply to questions 24 and 25. We would appreciate a response by June 1, 1982. We would also welcome any comments you might wish to submit regarding any of the other questions on the enclosed list.

Sincerely,

ROBERT W. WELLS
Deputy Director

Enclosure

NINETY-SEVENTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
SUBCOMMITTEE

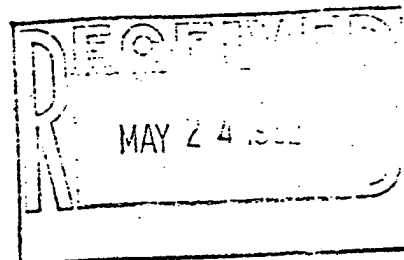
OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C

WASHINGTON, D.C. 20515

May 18, 1982



STAT

Mr. Steven Garfinkel
Director, Information
Security Oversight Office
General Services Administration
10th and F Street, NW
Washington, D.C. 20405

Dear Mr. Garfinkel:

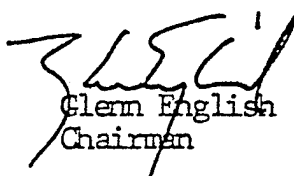
On behalf of the Subcommittee on Government Information and Individual Rights, I thank you for your appearance at our recent hearing on the Executive Order on Security Classification. The transcript of that hearing is enclosed for your correction, along with instructions on the nature of the corrections that are permitted.

There were some additional questions that we did not have an opportunity to ask at the hearing. These questions are attached to this letter. I recognize that you might feel that some of these additional questions should be answered by the Department of Justice instead of your office. Rather than attempt to make this determination on my own, I have chosen to address all of the questions to you. If you feel that some should be assigned to the Department of Justice for response, please feel free to do so.

The subcommittee is considering additional activity in the near future on security classification matters. Accordingly, I ask that you respond to these additional questions within two weeks of the receipt of this letter.

If you have any questions, you may contact subcommittee counsel Robert Gellman at 225-3741.

Sincerely,


Glenn English
Chairman

GE:bg:bm
Attachments

052/82-114

ADDITIONAL QUESTIONS: EXECUTIVE ORDER ON SECURITY CLASSIFICATION

1. The order defines "national security" in terms of national defense and foreign relations. What does "foreign relations" mean?
2. Are there any decided FOIA cases that would have different results under the new Executive Order? Which ones and why would a different result be indicated?
3. Two of the three limitations on classification that appear in the Carter order were removed. Did the presence of the two deleted limitations cause any problems or misunderstandings for officials with classification authority?
4. Why was "cryptology" added as a new classification category? Is sensitive cryptological information classified now? Is there any cryptological information that should be protected that cannot now be classified?
5. Have sanctions ever been imposed on any federal employee for overclassifying information? If so, please provide details.
6. (a) The definition of "information" in the order uses the words "controlled by the government." When is information under the control of the government?

(b) Is information that is subject to export controls considered to be "controlled by the government" within the meaning of this definition? Does the answer depend on the type of license required under federal law for the export of the information?
7. In responding to questions about reclassification of information under the new order, you stated that "hopefully the situation will be one of complete volunteerism on the part of the receiver of the information." If a person refuses to give up information for reclassification voluntarily, under what statutes can the government take action to recover the information?
8. You testified that the new classification category covering systems, installations, projects, or plans relating to national security" was intended to cover information concerning protection of the President and the embassies and civil preparedness. Was there any other specific type of information that this category was intended to cover?
9. During a discussion of the potential for overclassification of information, Mr. Willard responded to a question by asking: "What is the harm of overclassification?" From the perspective of ISOO, could you provide an answer to Mr. Willard's question?

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10. (a) In your discussion of the new classification category for confidential sources, you stated that some agencies have severe problems with the idea of identifying some of its sources as intelligence sources. How do the sources know on what basis their identity is classified? Have agencies reported actual complaints to your office?

^{intelligence??}
(b) You also indicated that classification of some sources as confidential sources creates problems with an agency's relationship with these sources. What type of problems were reported to your office?

11. (a) Please provide for the record an estimate of the number of documents that are classified each year throughout government.

(b) Please provide for the record an estimate of the number of documents that are declassified each year.

(c) Please provide for the record a rough estimate of the total number of classified documents that now exist in government files.

(d) Please provide for the record a list of all FOIA cases decided in the last five years in which classified documents were reviewed by the court and the number of classified documents that were reviewed in each case.

12. Who decided that the Carter Order needed to be revised and on what basis? When was the decision made? Were agencies asked for their views at this stage?

13. Once the decision to modify the Carter Order was made, were agencies asked for their suggestions prior to the circulation of a draft order? If so, when? Which agencies were asked and which responded to the request?

14. How many drafts were prepared and formally circulated to agencies prior to submission of the final draft to the President? When was each draft circulated and how long were agencies given to comment?

15. Did the Administration ever make a formal public announcement that a revision of the security classification order was either being considered or was underway? If so, who made the announcement and when? Please provide a copy for the record.

16. In your testimony, you listed a number of groups that you consulted during the revision process. Is that list complete? If not, please complete the list.

17. Were any of these groups provided a copy of a draft order or permitted to review a copy? If so, for each group, list the dates when copies were provided or when review was permitted?

18. How were the comments or suggestions of these groups used in preparing the final order?
19. Were there any groups that expressed interest in the Executive Order that were not offered an opportunity for a formal consultation?
20. Were there any groups that your office consulted with about the Executive Order revisions that had not first contacted you to express interest in the revision process?
21. Were any of the drafts ever released for public comment by the Reagan Administration? If not, why not?
22. The Carter Administration released a draft Executive Order on Security Classification for public comment. At what stage in the revision process was the draft order released?
23. How was the Carter draft order circulated? How long was allowed for public comments? How many comments were received and who submitted the comments?
24. Early this year, press accounts indicated that a multi-volume set of intelligence documents taken from the American embassy in Teheran was being sold openly. Some of the documents reproduced in these books reportedly were pieced together from shredded copies. What new document destruction techniques are available to preclude reconstruction of classified information that has been supposedly destroyed?
25. What kinds of emergency planning regarding the protection, removal, or destruction of classified material have been developed to avoid the loss of classified information such as occurred in in Saigon and Teheran?

DDO should have been asked to
prepare our response to #25.

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